

**53B-8-104.5 Nonresident tuition scholarships.**

- (1) In addition to the scholarships authorized under Section 53B-8-104, the board may grant scholarships for a waiver of the nonresident portion of total tuition charged by public institutions of higher education to nonresident students, subject to the limitations provided in this section, if the board determines that the scholarships will:
  - (a) assist in maintaining an adequate level of service and related cost-effectiveness of auxiliary operations in Utah institutions of higher education;
  - (b) promote enrollment of nonresident students with high academic aptitudes; and
  - (c) provide for an effective transition to meet the requirements of Section 53B-8-102.
- (2) The board shall establish policy guidelines for the administration by institutions of higher education of scholarships authorized under Subsection (1), for evaluating applicants for those scholarships, and for reporting the results of the scholarship program authorized under Subsection (1).
- (3) The policy guidelines promulgated by the board under Subsection (2) shall include the following provisions:
  - (a) a maximum of 675 of the approved scholarships may be up to 100% of the differential tuition charged to nonresident students for an equal number of credit hours of instruction;
  - (b) 225 of the approved scholarships may not be at a level of more than 50% of the differential tuition charged to nonresident students for an equal number of credit hours of instruction;
  - (c) a nonresident scholarship may be awarded initially only to a nonresident student who has not previously been enrolled in a college or university in Utah and who has enrolled full time for 10 or more credit hours;
  - (d) the total number of nonresident scholarships granted under Subsection (1) may not exceed a total of 900 such scholarships in effect at any one time;
  - (e) the board shall determine eligibility for nonresident scholarships on the basis of program availability at an institution and appropriate academic credentials, using quantifiable measurements such as grade point averages and results of test scores; and
  - (f) a nonresident student who receives a scholarship of greater than 50% of the differential tuition charged to nonresident students for an equal number of credit hours of instruction may not be counted against the funded target for the institution attended.
- (4) The board shall submit an annual report and financial analysis of the effects of offering nonresident tuition scholarships authorized under this section to the Legislature as part of its budget recommendations for the system of higher education.
- (5) This section applies to tuition scholarships and not the individual admission standards of higher education.

Amended by Chapter 272, 2006 General Session